

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NORTH DAKOTA  
SOUTHWESTERN DIVISION

Maria Imelda Garcia, )  
 ) Civil No. \_\_\_\_\_  
 Plaintiff )  
 )  
 vs. ) **COMPLAINT AND DEMAND**  
 ) **FOR JURY TRIAL**  
 Hiland Partners, LP, Hiland )  
 Operating, LLC, and Hiland Partners )  
 GP Holdings, LLC, )  
 )  
 Defendants. )

Maria Imelda Garcia ("Garcia"), for her Complaint against the Defendants, states and alleges as follows:

1. This Court has jurisdiction with respect to the above-captioned matter pursuant to 28 U.S.C. § 1332(a) in that the parties are citizens of different states and the amount in controversy exceeds \$75,000, exclusive of interest and costs.
2. Garcia is a resident of San Antonio, Bexar County, Texas.
3. Hiland Partners, LP ("Hiland Partners") is duly organized pursuant to the laws of the State of Delaware and has its principal place of business in the State of Oklahoma. At all times material to the allegations in this Complaint, Hiland Partners was registered to do business in the State of North Dakota and was conducting business in the State of North Dakota. Hiland Partners' registered agent for service of process in North Dakota is CT Corporation System, 314 East Thayer Avenue, Bismarck, North Dakota 58501.
4. Hiland Operating, LLC ("Hiland Operating") is a limited liability company duly organized pursuant to the laws of the State of Delaware and has its principal place

of business in the State of Oklahoma. At all times material to the allegations in this Complaint, Hiland Operating was registered to do business in the State of North Dakota and was conducting business in the State of North Dakota. Hiland Operating's registered agent for service of process in North Dakota is CT Corporation System, 314 East Thayer Avenue, Bismarck, North Dakota 58501.

5. Hiland Partners GP Holdings, LLC ("Hiland Holdings") is a limited liability company duly organized pursuant to the laws of the State of Delaware and has its principal place of business in the State of Oklahoma. At all times material to the allegations in this Complaint, Hiland Holdings was registered to do business in the State of North Dakota and was conducting business in the State of North Dakota. Hiland Holdings' registered agent for service of process in North Dakota is CT Corporation System, 314 East Thayer Avenue, Bismarck, North Dakota 58501.

6. At all times material to the allegations in this Complaint, Hiland Holdings was the general partner of Hiland Partners and, in turn, Hiland Partners was the sole member of Hiland Operating, such that Hiland Holdings is vicariously responsible for the acts and omissions of Hiland Partners and Hiland Operating.

7. At all times material to the allegations in this Complaint, Hiland Partners, Hiland Holdings, and Hiland Operating ("Hiland Defendants") owned, operated, maintained, possessed, and/or controlled a natural gas processing facility known as the Watford City Gas Plant in McKenzie County, North Dakota.

8. On or about January 22, 2012, Garcia was employed by Miller Insulation Co., Inc., and, in conjunction with that employment, was authorized by the Hiland Defendants to be on the premises of the Watford City Gas Plant.

9. While carefully carrying out her duties at the Watford City Gas Plant, Garcia fell into a deep hole in the ground that she was not able to see, appreciate, or avoid using reasonable care and prudence. As a result of that fall, Garcia sustained serious injuries to her left foot, left ankle, left hip, and other areas of her body.

10. The Hiland Defendants knew that employees of contractors, such as Garcia, would be on the premises and would be unaware of the hole in the ground. The Hiland Defendants were negligent/at fault by, among other ways, failing to provide a safe place for Garcia to work, leaving an exposed deep hole on the premises, failing to properly warn those in or around the premises about the dangerous condition of the deep hole by use of barricades, signs, lighting, or other warning/protective devices, failing to give notice to Garcia of the dangerous condition on the premises, failing to follow generally-accepted practices with respect to maintaining their property, failing to follow safety rules and regulations promulgated by the Hiland Defendants and others, and in such other ways as will be established at the time of trial.

11. As a proximate result of the negligence/fault of the Hiland Defendants, Garcia fell into the deep hole and sustained serious injuries and substantial damages.

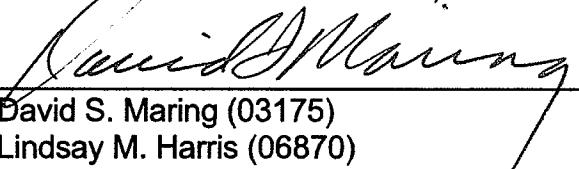
12. As a proximate result of Garcia falling into the deep hole because of the negligence/fault of the Hiland Defendants, Garcia suffered serious and permanent injuries and sustained, and will in the future sustain, medical expenses for her care and treatment, physical and emotional pain and suffering, loss of earning capacity, loss of enjoyment of life, and related losses.

13. Garcia is entitled to recover all economic and non-economic damages as set forth in N.D.C.C. § 32-03.2-04.

WHEREFORE, Garcia requests judgment against each of the Hiland Defendants in an amount in excess of \$75,000 and also requests interest, costs and disbursements, and such other and further relief as is just and proper.

Dated: March 12, 2014.

MARING WILLIAMS LAW OFFICE, P.C.

By: 

David S. Maring (03175)  
Lindsay M. Harris (06870)  
400 East Broadway, Suite 307  
P.O. Box 795  
Bismarck, ND 58502-0795  
(701) 224-0430  
[dmaring@maringlaw.com](mailto:dmaring@maringlaw.com)  
[lharris@maringlaw.com](mailto:lharris@maringlaw.com)

and

Clint M. Glenny II  
GLENNY LAW FIRM  
3123 N.W. Loop 410  
San Antonio, TX 78230  
(210) 340-3200  
[cg@glenngylaw.com](mailto:cg@glenngylaw.com)  
(To be admitted to practice in the United States District Court for the District of North Dakota.)

and

William D. Crist  
CRIST LAW FIRM, PLLC  
3123 N.W. Loop 410  
San Antonio, TX 78230  
(210) 340-3277  
[bill@thecristlawfirm.com](mailto:bill@thecristlawfirm.com)  
(To be admitted to practice in the United States District Court for the District of North Dakota.)

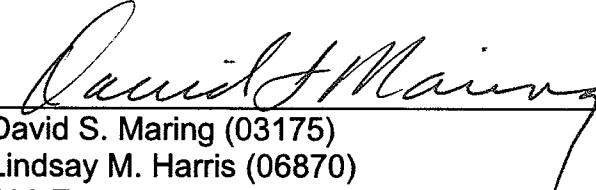
Attorneys for Plaintiff

**DEMAND FOR JURY TRIAL**

Plaintiff demands a trial by jury.

Dated: March 12, 2014

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Lindsay M. Harris (06870)  
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P.O. Box 795  
Bismarck, ND 58502-0795  
(701) 224-0430  
[dmaring@maringlaw.com](mailto:dmaring@maringlaw.com)  
[lharris@maringlaw.com](mailto:lharris@maringlaw.com)

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3123 N.W. Loop 410  
San Antonio, TX 78230  
(210) 340-3200  
[cq@glenngylaw.com](mailto:cq@glenngylaw.com)  
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William D. Crist  
CRIST LAW FIRM, PLLC  
3123 N.W. Loop 410  
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(210) 340-3277  
[bill@thecristlawfirm.com](mailto:bill@thecristlawfirm.com)  
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Attorneys for Plaintiff